

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

LARRY STEVE MELTON,
LARRY S. MELTON and
R & J OF TENNESSEE, INC.,

Plaintiffs,

v.

No. 02-1152 B

BANK OF LEXINGTON, a branch of the
BANK OF FRIENDSHIP, et al.,

Defendants.

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE AND GRANTING PLAINTIFF LARRY S.
MELTON'S MOTION FOR DEFAULT JUDGMENT AGAINST
THE BLANKENSHIP DEFENDANTS

This cause is before the Court in connection with the report and recommendation of the magistrate judge on the motion of *pro se* Plaintiff Larry S. Melton for a judgment of default against Defendants Shirley Blankenship; Kelly W. Blankenship; Blankenship Construction, L.L.C.; Blankenship Brothers Construction Company; Blankenship/Melton Real Estate, Inc.; Dean Blankenship and Harold Walden Blankenship (the "Blankenship Defendants") in the amount of \$268,775.58 (D.E. # 1158). After conducting a hearing on damages, the magistrate judge issued a report and recommendation recommending that the motion be granted. According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).¹

¹Indeed, on September 8, 2009, a letter was submitted to the Court by Harold Walden Blankenship on behalf of himself as well as Kelly, Dean and Shirley Blankenship requesting additional time in which to assemble the default judgment monies and asking whether such funds

The Court has reviewed the magistrate judge's report and recommendation, and the entire record of the proceeding before the magistrate judge. No objections having been filed to the report and recommendation, the Court ADOPTS the magistrate judge's report and recommendation.

Based on the foregoing, the Plaintiff Larry S. Melton's motion for default judgment against the Blankenship Defendants is GRANTED. The Clerk of Court is directed to enter default judgment against these Defendants, who are held jointly and severally liable to Plaintiff Larry S. Melton in the sum of \$268,775.58.

IT IS SO ORDERED this 18th day of September, 2009.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

should be paid directly to the Court (D.E. # 1178).